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Attorneys for Defendant
SPIRIT AIRLINES, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ROBYN COVINO,

Plaintiff,

vs.

SPIRIT AIRLINES, INC.

Defendant.

Case No.: 2:20-cv-01039-GMN-NJK

**SPIRIT AIRLINES, INC.'S MOTION
TO EXTEND THE REMAINING PRE-
TRIAL DEADLINES AND
~~PROPOSED~~ ORDER**

Defendant Spirit Airlines, Inc. (hereinafter, "Spirit"), by and through its attorneys of record, hereby submits its motion to extend the remaining pre-trial deadlines and [proposed] order in this matter as follows:

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MEMORANDUM OF POINTS AND AUTHORITIES

I. Introduction

Spirit respectfully submits there is good cause to extend the current deadlines to file dispositive motions and to submit a pre-trial order and disclosures in this matter by forty-five (45) days, pending the Court's ruling on Spirit's motion for judgment on the pleadings.

This motion is brought at least twenty-one (21) days before the expiration of the first deadline that is the subject of this motion as required under Local Rule 26-4.

II. Legal Standard

The Local Rules, in pertinent part, state as follows:

A motion or stipulation to extend any date set by the discovery plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1, be supported by a showing of good cause for the extension. A motion or stipulation to extend a deadline set forth in a discovery plan must be received by the court no later than 21 days before the expiration of the subject deadline

L.R. 26-4.

III. Argument

Spirit respectfully requests the Court to grant this motion to extend the deadline to file dispositive motions and to submit a pre-trial order and disclosures in this matter by forty-five (45) days. The current deadlines are September 2, 2021 and October 3, 2021, respectively.

There is good cause to grant this extension, because Spirit is awaiting the ruling on its motion for judgment on the pleadings, which was filed on September 22, 2020 (*see* dkt. 19). If the Court rules in Spirit's favor without leave to amend, then this lawsuit will be concluded. However, should plaintiff be afforded an opportunity to amend her complaint, plaintiff will need time to file an amended complaint, and Spirit will need time to respond to it, potentially with a renewed motion for judgment on the pleadings or a motion for summary judgment. Because Spirit cannot anticipate the outcome of the motion for judgment on the pleadings that is currently pending with the Court, and cannot file a second dispositive motion prematurely, an extension of the deadline to file dispositive motions is warranted.

1 **IV. Conclusion**

2 Due to the foregoing, Spirit requests that the Court grant an extension of the remaining
3 pre-trial deadlines to the following dates:

- 4 1. Last date to file dispositive motions: October 18, 2021
5 2. Last date to submit pre-trial order and disclosures: November 17, 2021
6

7 Dated: August 12, 2021

Respectfully submitted,

9 By: /s/ Jonathan W. Carlson

10 Richard A. Lazenby

11 Michael Cutler

VICTOR RANE

-and-

12 Jonathan W. Carlson

MCCORMICK BARSTOW, LLP

13 Attorneys for Defendant

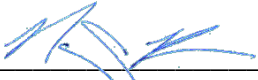
SPIRIT AIRLINES, INC.

14 IT IS SO ORDERED.

15 Dated: August 13, 2021

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Nancy J. Koppe

United States Magistrate Judge